

Amendment 3  
AG # 78-620

EXHIBIT "C"

NR 90-2367

LETTER ADDENDUM

In accordance with paragraph 6 of the Agreement, AG #78-620, Secretary of State #4809 dated October 16, 1978, for the operation and maintenance of traffic signals and/or highway lighting between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION and the CITY OF NOGALES, it is agreed by both parties that the following intersection be added to the existing list of intersections to be operated and maintained as set forth in said Agreement:

SR 189 at Congress Street, MP 3.21  
CITY OF NOGALES

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

Roger L. Hutton  
State Traffic Engineer

DATE:

September 7, 1990

CITY OF NOGALES

BY:

Jose L. McLaughlin

TITLE:

Mayor

DATE:

7-9-90

ATTEST:

[Signature]  
City Clerk

#3

NO. <u>4809</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>9/28/90</u>
<u>Jim Shumway</u> Secretary of State
By <u>Vicente Greenwald</u>

EXHIBIT "B"

APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Letter Addendum to the Maintenance Intergovernmental Agreement between the State of Arizona, **ARIZONA DEPARTMENT OF TRANSPORTATION** and the **CITY OF NOGALES** and declare the Letter Addendum to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 9 day of July, 1990.

CITY OF NOGALES

BY:

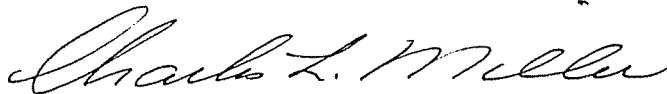
  
City Attorney

MAINTENANCE - TRAFFIC SIGNALS

SR 189 at Congress Street - MP 3.21  
CITY OF NOGALES

RESOLUTION

BE IT RESOLVED on this 18th day of June, 1990, that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interest of the State of Arizona, that the **ARIZONA DEPARTMENT OF TRANSPORTATION**, acting by and through the Highways Division, enter into a Letter Addendum to the Maintenance Intergovernmental Agreement with the City of **NOGALES** for the operation and maintenance of traffic signals and/or highway lighting. This Letter Addendum adds the new signal to Maintenance Intergovernmental Agreement AG #78-620, Secretary of State #4809, filed with the Secretary of State October 16, 1978. THEREFORE, authorization is hereby given to draft said Letter Addendum which, upon completion, shall be submitted for approval and execution by the State Traffic Engineer.



CHARLES L. MILLER, Director  
ARIZONA DEPARTMENT OF TRANSPORTATION

EXHIBIT "A"

MINUTES OF THE REGULAR MEETING OF THE MAYOR AND  
BOARD OF ALDERMEN OF THE CITY OF NOGALES HELD AT  
NOGALES CITY HALL ON THURSDAY, JULY 5, 1990 AT  
6:00 P.M.

The meeting was called to order and the Pledge of Allegiance was recited.

Present were Mayor Jose Luis De La Ossa, Alderwoman Rebecca Bregen, Aldermen Ramon Paz, Marco Rivera, Victor Sesteaga, Gene Cota; City Attorney M. Maley Peterson and Assistant Administrator Earl W. Sires.

APPROVAL OF CONSTRUCTION INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NOGALES AND ARIZONA DEPARTMENT OF TRANSPORTATION CONCERNING THE INSTALLATION OF TRAFFIC SIGNALS AT SR 189 AT CONGRESS STREET

Ms. Peterson explained to the City Council that this was an agreement between the City of Nogales and the Arizona Department of Transportation that would provide for the state to 50%, the city 25% and the county 25% for the installation of traffic signals at SR 189 at Congress Street, the city's cost not to exceed \$20,000.00. Also she said that the City would have the responsibility of paying the electrical costs.

On discussion, Alderman Rivera directed Ms. Peterson to inquire if the developers of the area would also be contributing to the costs for installation.

After discussion, Alderman Rivera moved and Alderwoman Bregen seconded to approve the Intergovernmental Agreement between the City of Nogales and the Arizona Department of Transportation for installation of traffic signals at SR 189 at Congress Street and approve the Letter Addendum for maintenance of said traffic signals.

All members present voted aye. Motion carried.

STATE OF ARIZONA     )  
                              ) ss.  
COUNTY OF SANTA CRUZ)

I, Earl W. Sires, the duly appointed, qualified and acting City Clerk of the City of Nogales, a Municipal Corporation within Santa Cruz

County, State of Arizona, do hereby certify that the foregoing is a true and correct excerpt of a meeting of the Mayor and Board of Aldermen of the City of Nogales, which meeting was duly and lawfully held at the hour of 6:00 p.m. on July 5, 1990, at the City Hall of Nogales, Arizona, and that I personally attended said meeting and the foregoing proceedings were in fact held as in said excerpt specified.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Nogales this 20th day of August, 1990.



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Earl W. Sires  
City Clerk/Asst. Administrator



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert R. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR 90-2367, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 18 day of September 1990

ROBERT K. CORBIN  
Attorney General

Joe Agosto

Assistant Attorney General  
Transportation Division